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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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R. W. QUEBODEAUX,

Plaintiff,

*versus*

UNITED STATES OF AMERICA, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:05-CV-698

**MEMORANDUM ORDER OVERRULING PLAINTIFF'S OBJECTIONS AND  
ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff R. W. Quebodeaux, an inmate confined at the Stiles Unit of the Texas Department of Criminal Justice, Correctional Institutions Division ("TDCJ-CID"), proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against the United States of America, the United States Postal Service, and Gary L. Johnson.

The court ordered that this matter be referred to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge. The magistrate judge recommends dismissing the complaint pursuant to 28 U.S.C. § 1915(e) as frivolous and for failure to state a claim upon which relief may be granted.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. Plaintiff filed objections to the magistrate judge's Report and Recommendation.

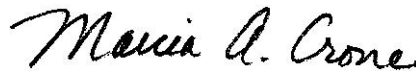
The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). After careful consideration, the court concludes

the objections are without merit. Plaintiff's claim regarding involuntary psychiatric treatment is barred by the doctrine of *res judicata* because it was adjudicated on the merits in civil action number 1:05-CV-577. *See Mowbray v. Cameron County, Texas*, 274 F.3d 269, 282 (5th Cir. 2001).

**ORDER**

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 25th day of September, 2006.



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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE